

*Approved Meeting Minutes  
South Florida Ecosystem Restoration Working Group  
Miami Beach, FL  
December 4, 2001*

**Welcome and Introductions**

COL Greg May called the meeting to order at 1:15 PM. He welcomed everyone and stated Wayne was unable to attend. Agenda (Encl. 1) ratified and draft minutes (Encl. 2) from the November meeting presented for approval the following day.

Working Group Members	Dec 4	Dec 5	Alternates
Aller, Chuck - FL Dept of Agriculture and Consumer Services	-	-	
Barnett, Ernie - FL Dept of Environmental Protection	-	-	
Best, Ronnie - U.S.G.S.	√	√	
Bradford, Mark - Bureau of Indian Affairs	-	-	
Brad Brown - NOAA, National Marine Fisheries Service	-	√	Essie Duffie
Billy Causey - NOAA, FL Keys Nat'l Marine Sanctuary	-	-	Joanne Delaney
Wayne Daltry - Southwest FL Regional Planning Council	-	-	
Henry Dean - South Florida Water Management District	√	-	Joan Lawrence
Frank Duke - Palm Beach County Planning			
Gene Duncan - Miccosukee Tribe of Indians of FL	√		
Maureen Finnerty - National Park Service	√	√	
Dade County DERM (alternate)	-	-	Jim Ferro both days
George Hadley - U.S. Dept of Transportation	-	-	
Thaddeus Hamilton - U.S. Department of Agriculture	√	√	
Richard Harvey - Environmental Protection Agency	√	√	
Ronald Jones - Southeast Environmental Research Center	√	√	
Barbara Junge - U.S. Attorney's Office	√	√	
Neal McAliley - U.S. Dept. of Justice	√	√	
COL Greg May - U.S. Army Corps of Engineers	√	√	
Ken Metcalf - Department of Community Affairs			Ann Lazar
Peter Ortner - NOAA	√	√	
Donna Pope - FL Dept. of Transportation	-	-	Marjorie Bixby both days
Fred Rapach - Palm Beach County Water Utilities Dept	-	-	
Terry Rice - Miccosukee Tribe of Indians of Florida	√		
Jay Slack - U.S. Fish and Wildlife Service	√	√	
Rick Smith - Office of the Governor of Florida	√	√	
Ron Smola - U.S. Department of Agriculture	√	√	
Steve Somerville - Broward County Department of Natural Resource Protection	-	-	
Craig Tepper, Seminole Tribe of Florida	√		
Joe Walsh - Florida Fish and Wildlife Conservation Commission	√	√	
Julio Fanjul, Special Advisor	√	√	
Rock Salt, Special Advisor	√	√	

**Annual Report Letter**

Rock Salt presented the revised draft (Encl. 3) along with the SCT text (Encl. 4) for approval. He explained the statute requires the Biennial Report to Congress. The Working Group Charter directs the Working Group to prepare the Biennial Report required in the statute and on the intervening years prepare this Annual Report to the Task Force. This document was provided at the prior meeting with the exception of the SCT text. Ronnie Best made a motion to accept the document. Thaddeus Hamilton asked for the opportunity to provide comments. Julio Fanjul seconded motion to approve with modifications to be made based on input from Thaddeus. Rock noted his concern that it is Wayne's responsibility as chair to be responsible for this report. Ron Smola made a motion to table and Neal McAliley seconded motion. **Action: Working Group agreed to table motion to vote until the next day to allow Thaddeus Hamilton time to provide comments.**

### Proposed 2002 Meeting Calendar

Rock Salt presented the 2002 meeting calendar (Encl. 5). Task Force meeting scheduled on January 16, 2001 with a Working Group meeting on the 15<sup>th</sup>. Task Force Chair announcement has been held up until after Senator Graham response has been provided. Ron Smola made a motion to approve calendar and Neal McAiley seconded motion. **Action: Working Group approved 2002 meeting calendar.**

### ASR Issue Team

Rock Salt reported the team has discussed having a representative from the Department of Health to the ASR Issue Team. The team recognizes this individual could provide input to issues related to ASR. This would be an agency not represented on the Working Group and Working Group approval is needed. On behalf of Richard Harvey, Rock Salt made a motion for the Working Group to approve the appointment of this representative. Ronnie Best seconded motion. Neal McAiley amended the motion that in appointing this person to this Issue Team, the Working Group is making the finding that the appointment is appropriate and necessary. Ronnie Best seconded amendment. **Action: Working Group approved the appointment of this representative to the team.**

### Results from Working Group Role Discussion

Conflict Resolution - Joan Lawrence presented the recommendations (Encl. 6) developed by the group as well as five priority issues. The group recommends the Working Group develop an issue list utilizing the preliminary issues developed by the group and prioritize them, determine the appropriate approach to address the top 5 issues, and take those top five issues and approaches to the Task Force for input and approval. Joan clarified she was not suggesting putting together panels of mediators but a suite of tools that could be used. The next step would be to discuss how these issues would be dealt with. Rock Salt added this group needs to identify the issues and brief the Task Force on those things the Working Group needs to be focused on. He reported that Ann Klee had suggested the Task Force also sort out its top priorities (i.e., Programmatic Regulations and Science as a foundation of restoration). Maureen Finnerty said these were fine as general categories but hoped to get direction from the Task Force. Thaddeus Hamilton suggested adding conservation education and environmental justice. Neal McAiley suggested the Working Group go through the Task Force given the significance of these issues and recommended including better descriptions of the issues distinguishing those that are difficult from those where the Working Group may make a difference. Craig Tepper agreed the list needed to be reviewed and the issues framed, however, the voting process would limit the discussion on what is important. Ronnie Best suggested the Working Group should provide guidance to the Task Force on what it feels are issues that can be addressed and suggested prioritizing the top five issues. Thaddeus Hamilton asked for the inclusion of Conservation Education dealing with non point source pollution and environmental justice and encouraged the use of a scientific method when prioritizing these issues. Neal McAiley said the prioritization should not be limited to five issues and suggested focusing on Programmatic Regulations and science issues (i.e., RECOVER, science as a foundation of restoration). Henry Dean suggested ranking the issues 1-21 and addressing five issues at each meeting. Rick Smith suggested moving water supply and assurances with reservations of water, consumptive use permits, programmatic regulations and moving what is restoration under RECOVER as well as the last item dealing with planning for the future after the 50-year CERP planning horizon. He also suggested combining the process related topics. **Action: Joan Lawrence will work to better clarify the intent of the issue and repackage the information for the purpose of a grouping and prioritizing exercise at the next regular meeting. Comments should be provided to Marsha Bansee at 305/348-1665.**

### Report on Water Projects and Initiatives

Dennis Duke provided a Power Point presentation (Encl. 7a) on the current status of Corps projects. The dispute resolution agreement, required by WRDA 2000, has been processed and is awaiting signing. The reconnaissance type report for the feasibility study for the 245,000-acre

feet of storage is being prepared at 100% federal expense. This will identify the plan of study including the cost and schedule. Team is being assembled internally and a request for members will be made in January for that study team. The feasibility study will look into this quantity of water and how it fits in the overall restoration plan. The study will be interwoven with the Comprehensive Plan refinement process. An ASR contingency plan is being proposed to identify potential alternative should ASR is found to not be feasible at the proposed scale. This will also be addressed through the plan refinement process.

Gene Duncan said the Corps is setting up a process to move forward with the 245,000 acre-feet that had been rejected. Dennis explained that if the Corps proposes to submit any report to Congress that in any way included the use of the 245,000-acre feet of storage, the requirement in WRDA 2000 authorizes the Corps needs to lay out a process to examine whether or not it is the right thing. Neal McAliley said he was comfortable with the reconnaissance process. He added that CERP does increase the total amount of freshwater available for the natural system and the performance of CERP varies in different areas. CERP will yield 60% - 70% of the historic flows for Everglades National Park and additional water was necessary to increase the flows to Florida Bay. He asked whether the Corps was focusing on that number and/or identifying the source of water alternative D-13R4 or if it would be looked at more broadly. Dennis Duke said it is a broad issue and the 245,000-acre feet being used as a point of reference and the actual number will come out of the process.

Terry Rice said the first step is to determine whether more water is needed and is debatable and the second thing is that things are not moving very fast and hoped that corners aren't cut leading to a "dead-end" path. He asked how this fit in with the 1996 legislation stating there would be no additional feasibility reports under the C&SF project. Dennis Duke stated WRDA 2000 included this. Gene Duncan clarified his concern that the Corps will move forward with this on a fast track without first having a study. Joe Walsh noted that there was an understanding at the last RECOVER meeting to identify the quantity of water and if the actual water would be required. Dennis Duke explained it would be 9 – 12 months for the reconnaissance process and the decision of whether or not to move forward with the study would be made at the end of the process.

Dennis Duke also reported three public meetings for the draft report on the Water Preserve Areas (WPAs) (Encl. 7b) underway. It is hoped to get the final report to Congress in time for consideration in WRDA 2002 (if one is presented to Congress). Draft report on the Indian River Lagoon is out for review with comments due at the end of this month, also trying to get it to Congress for WRDA 2002 consideration. Draft report for the Southern Golden Gates Estates to be released in January 2002. Contract for the Melaleuca Quarantine Facility has been awarded with construction to begin next year. Land acquisition for Modified Water Deliveries (MWD) is underway and the Corps will be moving ahead with construction (for the levy and canal) at the end of this summer. Draft report for Tamiami Trail modifications under MWD will be out this month with the proposed recommended plan. In response to the jeopardy opinion of the Cape Sable Seaside Sparrow a draft report is out for review on the proposed Interim Operational Plan for the south Dade conveyance. Record of Decision (ROD) on target for March 2002 and would be the operational criteria to replace the current ISOP. CSOP is starting and will be ongoing for the next year and a half. Final report for the C-111 is under preparation. Draft Report for the Florida Keys Carrying Capacity Study is due out in January with final report due in June 2002. Joanne Delaney noted Billy Causey's concern that the initial results of the runs for the Florida Keys Carrying Capacity Study are being discussed among the media and local community before the National Academy of Science panel review. She asked why study progress is not being discussed at this table. Dennis Duke replied that the draft report has not been released yet and anything that is being discussed is premature. He admitted there are concerns over the findings of the initial model results. It is the intent to have the National Academy of Science look at these findings. Dennis Duke explained the initial findings presented at the Project Delivery Team Meeting (PDT) indicate there is no link between upland development and near shore marine

environment. **Follow-up: Joanne Delaney requested an update on the Florida Keys Carrying Capacity Study at the next meeting.**

Programmatic Regulations - Stu Appelbaum provided a power point presentation (Encl. 8) on the regulations. He reviewed the outline of the initial draft and the four key issues identified: amount of substance, interim goals, linkage with state reservation process, and differences in water availability from what is predicted. Three types of operating manuals, not specifically defined in WRDA, will be developed. Master Water Control and Annual Operating Plans are system-wide and Project Water Control Plan is at the project level. Master Water Control Plan concept is based on the implementation of all 68 projects. If the Plan changes over time, then this needs to be addressed through the Water Control Plan. New information will be incorporated into the Plan through the Master Implementation Sequencing Plan which will include schedule and sequencing for CERP projects. The Master implementation will be reviewed annually and revised as necessary. Terry Rice asked how those performance measures that are modified and causes significant impact will be looked at. Stu Appelbaum was unsure and promised to look in this.

RECOVER is the entity responsible for implementing the adaptive assessment program. They can recommend the modification of operations, sequencing or scheduling for implementation if there are undesirable responses. Need to ensure protection of the natural system consistent with the goals and purposes of the plan through project specific assurances. PIRs will identify the amount of water to be reserved. PCAs cannot be executed until reservation identified in PIRs is executed under state law. Operating manuals must be consistent with the water reservation described in PIRs and PCAs. The Water Reservations white paper addresses the concept of water reservation and how it would be done procedurally and how it would be quantified. A system-wide "bank account" will avoid double counting. The regional system-wide model gives a consistent set of computation. The white paper could serve as the basis for the development of the protocol to address the issue of how to link water to be reserved for the natural system with the state reservation process. The initial draft will be released for review in December 2001. **Follow-up: Ken Ammon will be asked to provide periodic updates in conjunction with this agenda item.**

RECOVER Update - John Ogden gave a power point presentation (Encl. 9) on what is adaptive assessment and how RECOVER intends to implement it. He reviewed the Senate Committee Report for the WRDA 2000 and noted they do not expect a "rigid adherence to the plan" as submitted to Congress as this would be "inconsistent with the adaptive assessment principles in the Plan". There is similar language in the "Yellow Book" of 1999. There is a clear obligation to make effort to improve the Plan. RECOVER has used the words "evaluation and assessment" differently. Evaluation is done prior to construction and modeling as a basis for predicting the projects' performance. Assessment is the review of the actual project performance post construction. The fact that RECOVER is doing both provides two opportunities to improve the Plan.

RECOVER defines adaptive assessment as *measuring and assessing real world responses as projects are implemented, and using these assessments as a basis for making improvements in the design or operations of the plan*. RECOVER is currently creating a white paper on how they will implement adaptive assessment. It will look at the thresholds and guidelines for making changes to the Plan. RECOVER proposing looking at every other or every third year for Plan revisions, but no decision made yet. Considering setting the interim goals every 5 years. MOU Signing ceremony tentatively scheduled for January 2002.

#### Biscayne Bay Issue Team Update

Rhonda Haag reported she has been appointed Chair of the team. The BBPI Report is being used as the basis of the team's organization. Three meetings held to date to focus efforts on coming up with a prioritized list of projects. The State Legislature approved \$6 million in funds last year that was appropriated through the SFWMD. A list of projects with procurement strategy

has already been presented to the Governing Board. The team will also review the scopes of work developed to this point with the hopes of making this an interactive process. Fourth meeting scheduled for December 7, 2001 to finish presentations and develop the final prioritized list of projects. Next step is to look at the big picture for the health of the Bay as well as the goals and missions of the team. Terri Rice asked if she could summarize the health of Biscayne Bay. Rock Salt noted the BBPI concluded the southern bay was in relatively healthy conditions, the central and northern bay were more mixed, some were healthy and some weren't. That assessment identified opportunities and concerns. Julio Fanjul explained Biscayne Bay divided by causeways and the north part of the bay has good water quality and good sea grass beds. Neal McAliley suggested reviewing the SWIM Plan located on the SFWMD website, which is a good survey of issues.

#### Water Resources Advisory Commission (WRAC)

Julio Fanjul reviewed the meeting schedule. January 17-18 meeting will be dedicated to Programmatic Regulations with three stakeholder meetings scheduled for the week of January 7, 2002. The February 7<sup>th</sup> meeting scheduled in Miami Dade and the February 21<sup>st</sup> Lake Okeechobee Workshop will be dedicated to look at issues affecting Lake Okeechobee.

#### Litigation Update

Neal McAliley reported two lawsuits pending on the Cape Sable Seaside Sparrow. One filed by a coalition of environmental groups led by the Natural Resources Defense Council claiming the Corps of Engineers has not done enough to protect the Sparrow. Second filed by the Miccosukee Tribe and several south Dade agricultural interests challenging the Corps' plan to manage water for the Sparrow under ISOP. The second case has been under submission to the court, the Miccosukee Tribe has filed for a preliminary injunction alleging the Corps is backing up too much water and wanted the court to open the S-12A structure and order the Corps to pump water through S-333 from WCA-3A into the south Dade conveyance system. He noted this was at the same time the SFWMD was pumping down the canals east of the Park due to the hurricane that was near Cuba. He commented that other folks should provide future litigation reports as well, i.e. WMD and DEP in order to provide a more accurate portrayal. Neal McAliley also requested including other big land acquisition topics coming i.e. WPA's that would better benefit the group. Rick Smith reported the Graham map is being updated. He pointed to the Florida-Arizona Land Exchange Act, which brought 830,000 acres in one swoop, should be celebrated. **Follow-up: Rock Salt noted that requests have been made to have updates provided by others, his office would continue the attempt.**

#### Public Comment

Tom MacVicar (Miami Dade Limestone Products Association) provided a status update of the Lake Belt, which is not only a geographical area in Dade County, but also a process started by the State of Florida in 1991. The Working Group later established an Issue Team to look at this issue and the State Legislature formally adopted the Lake Belt Plan and adopted a new tax (a nickel a ton on aggregate mining) that would go into a fund. The Legislature required a federal permit compatible with the plan to be in place by September 30, 2000 or the fee would be suspended. Numerous extensions have been granted but there are still no federal permits. Miners have continued to pay the fee as there is currently over \$4 million in the fund gathering interest, unable to be spent because there are no permits. Miners are hoping the Corps will move forward. Rick Smith noted there was concern by some in the community about whether the cent per ton was adequate. Mr. MacVicar said this is still an issue but duration has been scaled back. Rock Salt noted the Issue Team did prepare a report but there were a number of issues like those with the USFWS, ENP's seepage issues and Dade County concerns on the closeness of the well field. Rock thought Richard Harvey's federal team had reached resolution on the federal issues. Since then there are continuing issues as well as new issues about who owns the land after miners finish. **Follow-up: Rock Salt would pass the federal permit question on to Richard Harvey and find out what the status of this is.**

Meeting adjourned at 5:45 PM.

*Approved Meeting Minutes  
South Florida Ecosystem Restoration Working Group  
Miami Beach, FL  
December 5, 2001*

**Welcome and Administrative Announcements**

COL May called the meeting to order at 9:45 A.M. Craig Tepper made a motion to approve November minutes and Ron Smola seconded motion. Minutes approved with edits to be provided by Neal McAliley and correction to be made to the attendees on second day. Thaddeus Hamilton submitted the Outreach Coordination Team text (Encl. 10) for inclusion in the Annual Report letter. Approval scheduled following Public Comment.

**Science Coordination Team (SCT)**

Ronnie Best announced the 2002 meeting dates on the second Tuesday of the following months January 8, March 12, May 14, July 9, September 10 and November 12. SCT is dissatisfied with the Flows White Paper and has appointed a writing committee to ensure it is scientifically based. It will be reviewed by the SCT before it is presented to the Working Group. CROGEE Liaison Committee met with CROGEE last week. SCT interested in ensuring science is there to provide information as well as new and improved technology. USGS will be providing \$25,000 and the other member agencies were asked to participate. Total of \$100,000 needed to effectively do what is needed and a workplan can be provided. Peter Ortner said that his agency has a budget and would be able to contribute. Jay Slack also expressed interest in helping to fund the efforts of the SCT as an extension of the Working Group. Peter Ortner pointed to the progress made by the Florida Bay PMC once staff was hired. Joan Lawrence would take the request back to the WMD.

**CROGEE Update**

Peter Ortner reported the CROGEE held another meeting with the first day devoted to an educational session with the second day devoted to issues affecting the SW Coast. Although a lot of progress has been made the relationship with the SCT is not working as well as it could be. SCT planning to schedule monthly teleconferences in an attempt to work better together.

**Legislative Update**

Rick Smith said the Senate Natural Resources Committee approved a proposal to fund the state's share of the Everglades Investment and Restoration Act from bond revenues rather than from unspecified funds, if it passes. There is a severe shortfall and the Legislature has been searching for a way to not take a portion from unspent balances, like it did last year. Approved submitting a bill [www.floridalegislature.com](http://www.floridalegislature.com) and search by subject or bill number. Other bills are being worked on including i.e., solid waste bill to deal with tires and construction/demolition debris. Rick Smith clarified the State is able to issue revenue bonds when needed.

**Power Point Briefing Materials**

Kevin Burger provided Working Group members with presentation materials (Encl.11), which was in the works when the W. Palm Beach office was closed. Briefing, which has been customized, can be utilized as everyone as they go about doing their job. Rock Salt noted that the Corps did much of the work. Rick Smith suggested adding the Save Our Everglades Program that started in 1983. Working Group members were invited to provide input and comments. Jay Slack suggested having a version accessible on the website. Gene Duncan noted the tribe has created a series of movies on Everglades restoration that have aired on public television and asked for permission to include this presentation.

**Kissimmee Valley Regional Restoration Coordination Team**

Craig Tepper reported the team is off to a good start. Conference call as outlined on the update (Encl. 12) was held and there was participation from many entities.

### Land Acquisition Task Team Update

Rick Smith reported team is working on the approach, approved by the Working Group, to ask everyone in the business of buying lands to fill out project sheets. Consultant, Jim Mueller, has met with FNAI and DEP to work on a database that can be updated quarterly. Team will report to the Working Group once the project sheets have been reviewed. Rock Salt noted this one of the items driven by a GAO recommendation and it is one of the items along with the Dispute Resolution that remain unfinished and it is hoped to have the work done by next summer. The updated map, if available, will be presented to the Working Group and Task Force at the January meeting.

### NE Shark River Slough

Barbara Junge reported that acquisition is nearly complete in the East Everglades. She noted the report and chart (Encl. 13) prepared by ENP show ninety-eight acres have been acquired for title but it does not show that it took 68 lawsuits to do that. She reminded everyone that many of the property owners were the victims of speculators and predatory tactics. Administrative side is enormously difficult but the U.S. Attorney's Office is moving forward and is hoping to have the last case filed in January 2002 with another two years to get the money distributed. Every case has a title problem with clouded title on older cases.

Rick Smith will be meeting in January to discuss those acres in public ownership as well as the language in the ENP Expansion Act and the Big Cypress National Preserve Addition Act. The federal government responsible for paying for 80 % of the total cost of the land and the state of Florida is responsible for paying for 20%. A total of 55,000 acres have been acquired in the Big Cypress addition and the 42,000 + acres have been donated in the East Everglades.

Gene Duncan asked how much the government is offering per acre. Barbara Junge explained the U.S. Constitution requires the U.S. to pay just compensation when private property is taken for public use. The Supreme Court has defined that as market value at the time of taking. There have been numerous appraisals and market study. Price per acre varies based on location starting as low as \$500 per acre and the office has to pay what the law requires. There is a generous settlement program and landowners are encouraged to take part in the settlement program if they meet the criteria. Many landowners are grateful that property can be sold. Attempts were made by the State Attorney's Office to prosecute some of the sellers but many were not successful.

### Executive Director's Report

Rock Salt provided the Workplan 2001 (Encl. 14a) and announced the proposed 2002 Workplan (Encl. 14b) would be sent out for comments and also provided to the Task Force for guidance. Action/Issue Tracking Chart (Encl. 14c) and Issue Team Tracking Chart (Encl. 14d) provided. Thaddeus Hamilton requested the OEEECT Team be added to the tracking chart. Joanne Delaney asked why the three items on public outreach, which have been deferred since the Lessons Learned Workshop, were rated green. Rock Salt explained the Working Group decided to defer these pending discussion of the Working Group role. It is anticipated that once the new Task Force is in place the roles and mission will be clearer. Strategy timeline (Encl. 14e) provided and document will be scheduled for a first reading at the January meeting. Draft Task Force Agenda (Encl. 14f) for the Orientation Briefing at Main Interior is intended to bring federal folks up to speed prior to the January meeting. New federal members have not yet been designated. Groundbreaking ceremony also planned in conjunction with the January meetings and the Corps and Seminole Tribe are working out the details.

### Annual Report Letter

Ronnie Best made a motion to accept with minor edits and Ron Smola seconded motion. **Action: Annual Report Letter approved with Thaddeus Hamilton's addition and Ronnie Best's minor edits.**

## Public Comment

Mike Richardson (First Nat'l Bank of South Florida) announced the name of the bank has changed to reflect the larger area it is serving. He presented symbolic thank you gift (of small monetary value) to the Working Group Chair. He provided COL May with a letter (Encl. 14) with an analysis completed by a consultant indicating additional water will be diverted into the canal system in the south Dade area and the operating levels of the L-31N Canal will be higher with the proposed plan. The letter urged COL May to reject alternative 7 in the EIS, continue canal operations in use for the last year and install a temporary S-356 pump station between Tamiami Trail and Richmond Drive. COL May thanked Mike and noted that although canal stages are important in the management of the water in south Florida, there are other tools i.e., 332 B and D that were not operational previously. The operations over the past year are a testament of the cooperation between the Corps and SFWMD.

Neal McAliley stated his disagreement with Mike Richardson's assessment of the IOP. The canal stages east of the park have been steadily dropping since the south Dade conveyance system was put in place. The Corps and WMD operated under Test 7 Phase I until ISOP was put in place. The ISOP reduced the canal stages into the park and added pumping capacity and improved the response to the no name flood storm. IOP will raise the canal stages in some of the canals some of the time but never above the existing levels of Test 7. He noted it is significant that Mike has said they want the operation, ISOP, which has been in place over the last two years. Mike Richardson stated they are relying on the technical information provided by Tom MacVicar. Jay Slack said there are more capabilities and structures online and it is not as simple as merely dealing with canal stages and the right people are working to solve the problem.

Mike Richardson said there was no public input at the mediated settlement and the mediator did not hear all of south Dade's concern. Coming to this forum to express their concern. COL May explained the purpose of the mediator was to get past some technical obstacles that had been a source of friction among federal agencies. The draft EIS will provide the opportunity for everyone to comment. Rick Smith asked if there was a way to resolve these types of differences based on science. He urged the group to think about working this out now. COL May stated now would be the opportunity to provide comments on the draft EIS. People will have a second opportunity to provide public comments on the final EIS as well as at one of the public meetings that will be scheduled.

Rick Smith asked if it was possible to have all of the hydrologists come together to resolve the differences. COL May noted the IOP is interim and the real goal is the Combined Operation (CSOP) for modified waters and C-111. He assured the Corps' approach is to reach out and brief everyone so that they understand what is happening. He acknowledged it would be a challenge due to the complexity of the information. Mike Richardson said the south Dade community understands the C-111 and modified waters will give flood control allowing more water in Shark River Slough, however, the concern is over what will be done in the interim. He asked that flood protection be maintained until these projects come online. COL May offered getting together to discuss these issues.

Gene Duncan agreed with Mike Richardson and added that the Corps has acknowledged at the public meetings that the levels in south Dade would be higher. The water levels in WCA 3A exceeded the regulation schedule before Thanksgiving, yet the S-12 structure, to protect the sparrow, was closed. That was the reason the Tribe attempted to obtain an injunction. This is not a new issue and has been going on for five years. He reminded everyone that he had provided a Power Point presentation two years ago about how the system is being manipulated for single species management. This is not just about canal level it is about killing off snail kite and wood stork habitat to protect the sparrow. It is about flooding state and tribal owned lands to protect the National Park and about flooding of agriculture. He also agreed this issue is very complicated and suggested the Biological Opinion be re-examined due to the significant doubt among the ornithologists. This battle will continue until MWD gets built. COL May stated the schedule is being re-worked and the Corps is committed to complete the MWD project on time.



Brenda Chalifour (Save Our Shoreline, Inc.) echoed Mike Richardson's comments. Hoped the deadline for MWD, December 2003, is met. She asked the Working Group to consider meeting in Homestead. The coastal shoreline represents a huge gap that has not been addressed by this group. She reminded everyone that this too is part of the ecosystem. Millions of dollars have been spent to replenish Miami Beach and she was not sure there is anyone looking to correct that piece of the ecosystem. There is no monitoring of the reefs in Broward County. She stated there is a beach restoration project coming online that she felt would destroy the reefs off the Broward County shoreline. She challenged the Working Group to create an Issue Team to deal with these issues.

Follow up Action Items for the January Working Group Meeting:

1. Joan Lawrence will present the revised Conflict Resolution proposal for Working Group approval
2. The outreach proposal will also be presented for Working Group discussion.
3. An in depth presentation will be made by the Corps on Southern Golden Gate Estates along with their regular update
4. Land Acquisition Task Team will provide the results of their work to date
5. Revised Strategy document will be provided for a first reading
6. Passing of the gavel is slated for the January meeting along with the Vice Chair nominations
7. ISOP/IOP discussion to be scheduled for the March meeting

Open Discussion

Neal McAilley stated his belief that there is a distorted view of the facts. That the ISOP is killing tree islands in WCA 3A he believes is false. He understands that the farmers want the canal levels as low as possible but the consequence is draining water out of Everglades National Park. The long-term solution is the MWD and C-111 projects. He requested an in depth discussion at the March meeting. Rick Smith also encouraged resolving this issue particularly if the facts are different. Peter Ortnier clarified there was disagreement on the interpretation of the models. Ronnie Best thanked the Working Group for their support of the SCT.

Meeting adjourned at 12:30 PM

Enclosures:

1. Agenda
2. Draft November minutes
3. Draft Annual Report Letter
4. Proposed SCT Text for Annual Report Letter
5. Draft 2002 Meeting Calendar
6. Dispute Resolution Recommendations
7. a. Power Point Presentation on Water Projects and Initiatives  
b. Water Preserve Areas Public Workshops Schedule
8. Power Point Presentation on Programmatic Regulations
9. Power Point Presentation on RECOVER
10. OEEECT text for Annual Report letter
11. Power Point Briefing Materials
12. Kissimmee Valley Team Update
13. East Everglades Land Acquisition Update and Pie Chart
14. Executive Director's Report
  - a. 2001 Workplan
  - b. 2002 Draft Workplan
  - c. Action/Issue Tracking Chart
  - d. Issue Team Tracking Chart
  - e. Strategy Timeline